

IN THE HIGH COURT OF JUDICATURE AT BOMBAY
CIVIL APPELLATE JURISDICTION

WRIT PETITION NO.4943 OF 2005

Lorenzo Bestonso .. Petitioner

V/s

Union of India & Ors. .. Respondents.

Mr.Kamlesh Kharade i/by India Law Alliance for
Petitioner.

Mr.B.A.Desai, Additional Solicitor General with
Mr.S.M.Shah, Mr.Rajiv Chavan and Mrs.S.V.Bharucha for
the Respondents.

CORAM: DR.S.RADHAKRISHNAN &
J.H.BHATIA, JJ.

DATE : 10/08/2005.

P.C.:

1. Rule. Rule is made returnable forthwith. The learned Additional Solicitor General waives service for the Respondents. By consent taken up for hearing. Heard the learned Counsel for the Petitioner and the learned Additional Solicitor General for the Respondents.

2. It appears that the Petitioner has imported a Car and has paid Rs.18,15,748/- by way of customs duty. By this petition, the Petitioner is seeking a limited relief of release of the said Car provisionally on payment of a differential duty. The learned Counsel for the Petitioner undertakes that the Petitioner will pay the differential duty quantified by the Customs Authorities.

3. On payment of a differential duty by the Petitioner, the Respondents shall release a Car provisionally, which

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will be subject to the final adjudication. It is made clear that the Petitioner shall also execute the necessary bond and a Bank Guarantee in this behalf. The learned Counsel for the Petitioner undertakes that the Petitioner will keep a Bank Guarantee and the Bond alive till the final adjudication and for a further period of four weeks thereafter. Writ Petition stand disposed of in the above terms.

(DR.S.RADHAKRISHNAN J.)

(J.H.BHATIA J.)